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A/RES/52/142
6 March 1998

Fifty-second session
Agenda item 112 (*c*)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/644/Add.3)*]

52/142. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other applicable human rights instruments,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling previous resolutions of the General Assembly and the Commission on Human Rights on the subject, and taking note of the most recent, Commission on Human Rights resolution 1997/54 of 15 April 1997,[3]

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

1. *Welcomes* the report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran;[4]

2. *Notes with interest* that presidential elections were held in the Islamic Republic of Iran in 1997, and calls upon the Government to meet expectations for tangible progress concerning human rights and fundamental freedoms of all individuals;

3. *Expresses its concern*:

(*a*) At the continuing violations of human rights in the Islamic Republic of Iran, in particular the large and increasing number of executions in the apparent absence of respect for internationally recognized safeguards, cases of torture and cruel, inhuman or degrading treatment or punishment, including stoning, amputation and public executions, the failure to meet international standards in the administration of justice and the absence of due process of law;

(*b*) At the grave breaches of the human rights of the Baha'is, the discrimination against members of other religious minorities, including Christians, and the death sentences pronounced against Dhabihullah Mahrami, Musa Talibi and Ramadan-Ali Dhulfaqari, on the charge of apostasy, and against Bihnam Mithaqi and Kayvan Khalajabadi because of their beliefs;

(*c*) At the lack of continuity in the cooperation of the Government with the mechanisms of the Commission on Human Rights;

(*d*) At the continuing threats to the life of Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran, and deeply regrets the increase announced in the bounty offered for the assassination of Mr. Rushdie by the 15 Khordad Foundation;

(*e*) At violations of the right to peaceful assembly and restrictions on the freedoms of expression, thought, opinion and the press, as well as at the harassment and intimidation of writers and journalists seeking to exercise their freedom of expression, the sentencing of the writer Faraj Sarkuhi being only the most recent example of such unacceptable practices;

(*f*) At the lack of full and equal enjoyment by women of human rights, while noting efforts to integrate women more fully into the political, economic and cultural life of the country;

4. *Calls upon* the Government of the Islamic Republic of Iran:

(*a*) To resume its cooperation with the mechanisms of the Commission on Human Rights, in particular with the Special Representative to allow him to continue his inquiry at first hand and to continue his dialogue with the Government;

(*b*) To abide by its freely undertaken obligations under the International Covenants on Human Rights and under other international instruments on human rights and to ensure that all individuals within its

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[4] A/52/472, annex.

territory and subject to its jurisdiction, including members of religious groups and persons belonging to minorities, enjoy all the rights enshrined in those instruments;

(*c*) To implement fully the conclusions and recommendations of the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief relating to the Baha'is and to other minority religious groups, including Christians, until they are completely emancipated;[5]

(*d*) To take effective measures to eliminate human rights violations against women, including all discrimination in law and in practice against them;

(*e*) To refrain from violence against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and prosecuting offences reported by them;

(*f*) To provide satisfactory written assurances that it does not support or incite threats to the life of Mr. Rushdie;

(*g*) To ensure that capital punishment will not be imposed for apostasy or non-violent crimes or in disregard of the provisions of the International Covenant on Civil and Political Rights[2] and United Nations safeguards;

5. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, at its fifty-third session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.

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[5] E/CN.4/1996/95/Add.2.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/644/Add.3)*]

52/143. Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights[1] and other applicable human rights instruments,

Reaffirming also that all States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Taking particular note of Commission on Human Rights resolution 1997/62 of 16 April 1997,[2] in which the Commission commended the Special Rapporteur on the situation of human rights in Cuba for his report[3] and for his efforts to carry out his mandate, and extended his mandate for one year,

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[1] Resolution 217 A (III).

[2] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[3] E/CN.4/1997/53.

Expressing concern about continuing violations of human rights and fundamental freedoms in Cuba, as outlined in the interim report on the situation of human rights in Cuba submitted to the General Assembly by the Special Rapporteur,[4]

Deploring, in this regard, the arbitrary arrest, detention and harassment of Cuban citizens, in particular members of the Dissident Working Group and the independent press, for peacefully seeking to exercise their civil and political rights,

Recalling the continued refusal of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolutions 1992/61 of 3 March 1992,[5] 1993/63 of 10 March 1993,[6] 1994/71 of 9 March 1994,[7] 1995/66 of 7 March 1995,[8] 1996/69 of 23 April 1996[9] and 1997/62,[2] including its repeated opposition to a visit to Cuba by the Special Rapporteur,

1. *Commends* the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Cuba for his interim report;[4]

2. *Expresses its full support* for the work of the Special Rapporteur;

3. *Calls once more upon* the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. *Regrets profoundly* the numerous violations of human rights and fundamental freedoms in Cuba, as described in the report of the Special Rapporteur submitted to the Commission on Human Rights[3] and in his interim report submitted to the General Assembly;[4]

5. *Urges* the Government of Cuba to ensure freedom of expression and assembly and the freedom to demonstrate peacefully, including by allowing political parties and non-governmental organizations to function freely in the country and by reforming legislation in this area;

6. *Calls especially upon* the Government of Cuba to release the numerous persons detained for activities of a political nature, including those specifically mentioned in the interim report of the Special Rapporteur, who suffer from inadequate medical care while imprisoned or whose rights as journalists or jurists are impeded or denied;

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[4] A/52/479, annex.

[5] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[6] Ibid., *1993, Supplement No. 3* (E/1993/23), chap. II, sect. A.

[7] Ibid., *1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[8] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[9] Ibid., *1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

7. *Calls upon* the Government of Cuba to carry out the recommendations contained in the interim report of the Special Rapporteur to bring its observance of human rights and fundamental freedoms in Cuba into conformity with international standards and applicable international human rights instruments and to end all violations of human rights including, in particular, the detention and imprisonment of human rights defenders and others who are engaged in the peaceful exercise of their rights, and to grant access to its prisons to non-governmental humanitarian organizations and international humanitarian agencies;

8. *Decides* to continue its consideration of this question at its fifty-third session.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/644/Add.3)*]

52/144. Situation of human rights in Nigeria

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other applicable human rights instruments,

Recalling that Nigeria is a party to, *inter alia*, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination[3] and the Convention on the Rights of the Child,[4]

Recalling previous resolutions of the General Assembly and the Commission on Human Rights,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] Resolution 2106 A (XX), annex.

[4] Resolution 44/25, annex.

Welcoming the positive contribution which Nigeria has recently been making through the Economic Community of West African States in support of democratic government within the West African region, and expressing the hope that this reflects a determination to pursue the same aim in its domestic policies,

Noting that the Commonwealth has been concerned about the continued existence of a military government and the failure to observe fundamental human rights and has decided that Nigeria should remain suspended from the Commonwealth,

1. *Welcomes*:

(*a*) The declared commitment of the Government of Nigeria to civilian rule, multi-party democracy and freedom of assembly, press and political activity by 1 October 1998, and recalling, in this regard, the declaration by the Government of 1 October 1995 which the Government recently confirmed;

(*b*) The decision of the Commission on Human Rights to appoint a Special Rapporteur on the situation of human rights in Nigeria;[5]

(*c*) The note by the Secretary-General concerning the discharge of his good offices mandate,[6] and requests him, in cooperation with the Commonwealth, to continue to undertake further discussion with the Government of Nigeria and to report on progress in the implementation of the present resolution and on the possibilities for the international community to offer practical assistance to Nigeria in achieving the restoration of democratic rule and the full enjoyment of human rights;

2. *Expresses its deep concern*:

(*a*) At continuing grave violations of human rights and fundamental freedoms in Nigeria, including arbitrary detention, as well as failure to respect due process of law;

(*b*) That the absence of representative government in Nigeria has led to violations of human rights and fundamental freedoms and is contrary to the popular support for democratic government as evidenced in the 1993 elections;

(*c*) That additional persons among those detained in Nigeria are to be tried by the same flawed judicial process which led to the arbitrary execution of Ken Saro-Wiwa and his associates;

(*d*) At the lack of preparatory steps by the Government of Nigeria to secure the reinstallation of a representative government following elections characterized by genuine popular participation in a multi-party context;

(*e*) At the past refusal of the Government of Nigeria to cooperate with the Commission on Human Rights and its mechanisms;

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[5] *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A, resolution 1997/53.

[6] A/52/688.

3. *Calls upon* the Government of Nigeria:

(*a*) To ensure urgently the observance of human rights and fundamental freedoms, including by respecting the right to life, by releasing all political prisoners, including those detained in connection with the 1993 presidential elections, among them Chief M. K. O. Abiola, trade union leaders, human rights advocates and journalists currently detained, by improving conditions of detention and by guaranteeing freedom of the press, freedom of opinion and association and respect for the rights of individuals, including persons belonging to minorities;

(*b*) To ensure that all trials are held fairly and promptly and in strict conformity with international human rights standards;

(*c*) To abide by its freely undertaken obligations under the International Covenants on Human Rights and other human rights instruments, and notes with interest, in this regard, the recommendations of the Human Rights Committee to the Government of Nigeria;[7]

(*d*) To take concrete and credible steps to restore democratic government without delay, to end rule by decree and to permit an observer presence during transition, as recommended by the United Nations fact-finding mission;

(*e*) To ensure the independence of the National Human Rights Commission, including in its investigations of human rights abuses;

(*f*) To implement fully its interim undertakings to the Secretary-General without further delay and to respond in full to the recommendations of the mission sent to Nigeria by the Secretary-General;

(*g*) To implement its obligations under the Convention concerning Freedom of Association and Protection of the Right to Organise, 1948 (No.87), of the International Labour Organization, while noting the special paragraph in the report of the International Labour Conference Committee of Experts on the Application of Conventions and Recommendations, as adopted by the International Labour Conference at its 85th session, on Nigeria's failure to comply with that Convention;

(*h*) To cooperate fully with the Commission on Human Rights and its mechanisms;

4. *Decides* to consider this question at its fifty-third session under the item entitled "Human rights questions".

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[7] CCPR/C/79/Add.65.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/52/644/Add.3)]

52/145. Situation of human rights in Afghanistan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949[3] and the Additional Protocols thereto, of 1977,[4]

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling that Afghanistan is a party to the Convention on the Prevention and Punishment of the Crime of Genocide,[5] the International Covenant on Civil and Political Rights,[2] the International Covenant

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[4] Ibid., vol. 1125, Nos. 17512 and 17513.

[5] Resolution 260 A (III).

on Economic, Social and Cultural Rights,[5] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[6] and the Convention on the Rights of the Child[7] and that it has signed the Convention on the Elimination of All Forms of Discrimination against Women,[8]

Recalling also all its relevant resolutions, as well as the resolutions of the Commission on Human Rights and the decisions of the Economic and Social Council,

Recalling the deep concern expressed by the Security Council at the continuing discrimination against girls and women and other violations of human rights, as well as violations of international humanitarian law in Afghanistan,[9]

Welcoming the special emphasis that the United Nations Special Mission to Afghanistan has placed on human rights issues in its discussions with all the Afghan parties,

1. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan[10] and of the conclusions and recommendations contained therein;

2. *Notes with deep concern* the intensification of armed hostilities in Afghanistan, which have resulted in the destruction of houses and in forced evictions, including on grounds of ethnicity, and calls upon all parties involved immediately to cease such hostilities and to engage in a political dialogue aimed at achieving national reconciliation and the voluntary return of displaced persons to their homes in safety and dignity;

3. *Also notes with deep concern* the ongoing further deterioration of the situation of human rights in Afghanistan, including the situation of women, as reported by the Special Rapporteur, and condemns the violations and abuses of human rights and humanitarian law, including the rights to life, liberty and security of person, freedom from torture and from other forms of cruel, inhuman or degrading treatment or punishment, freedom of opinion, expression, religion, association and movement;

4. *Expresses in particular its deep concern* about the frequent practice of arbitrary arrest and detention and summary trials throughout the country, which have resulted in summary executions, as well as the application of forms of punishment prohibited under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[6]

5. *Calls upon* all the Afghan parties fully to respect all human rights and fundamental freedoms, regardless of gender, ethnicity or religion, in accordance with international human rights instruments;

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[6] Resolution 39/46, annex.

[7] Resolution 44/25, annex.

[8] Resolution 34/180, annex.

[9] S/PRST/1997/35; see *Resolutions and Decisions of the Security Council, 1997*.

[10] A/52/493, annex.

6. *Urges* all the Afghan parties to bring an end to discrimination on the basis of gender and to the deprivation of human rights of women without delay and, in particular, to take measures to ensure:

(*a*) The effective participation of women in civil, cultural, economic, political and social life throughout the country;

(*b*) Respect for the right of women to work and their reintegration in employment;

(*c*) The right of women and girls to education without discrimination, the reopening of schools and the admission of women and girls to all levels of education;

(*d*) Respect for the right of women to security of person and to ensure that those responsible for physical attacks on women are brought to justice;

(*e*) Respect for freedom of movement for women and their effective access to the facilities necessary for the protection of their right to the highest attainable standards of physical and mental health;

(*f*) Equal access for women to health facilities;

7. *Also urges* all the Afghan parties to work closely and to cooperate with the United Nations Special Mission to Afghanistan with a view to achieving a comprehensive political solution leading to the cessation of armed confrontation and to the establishment of a democratic Government elected through free and fair elections, based on the right to self-determination of the people of Afghanistan;

8. *Further urges* all the Afghan parties to ensure that United Nations programmes are carried out without discrimination against women either as participants or as beneficiaries;

9. *Demands* that all the Afghan parties fulfil their obligations and commitments regarding the safety of all personnel of diplomatic missions, the United Nations and other international organizations, including their premises in Afghanistan, and that they cooperate fully with the United Nations and associated bodies as well as with other humanitarian organizations and agencies;

10. *Urges* all the Afghan parties to provide efficient and effective remedies to the victims of grave violations of human rights and of accepted humanitarian rules and to bring their perpetrators to trial in accordance with internationally accepted standards;

11. *Recognizes* that the promotion and protection of human rights should be an essential element in the achievement of a comprehensive solution to the crisis in Afghanistan, and, therefore, invites the Special Mission and the Special Rapporteur to exchange relevant information and to strengthen their mutual consultation and cooperation;

12. *Urges* all the Afghan parties fully to respect international humanitarian law, to protect civilians, to halt the use of weapons against the civilian population, to refrain from storing munitions in residential areas, to prohibit the drafting and recruitment of children as para-combatants, to ensure their reintegration into society and to stop the practice of using people as human shields;

13. *Invites* all the Afghan parties to support the International Committee of the Red Cross, in particular by providing access to all prisoners, and to release all non-criminal civilian prisoners;

14. *Expresses its deep concern* about reports that, despite continuing demining programmes by the international community, new landmines have been laid, and appeals to all parties to stop deploying such devices, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians, especially children;

15. *Urges* all States to respect the full national unity, sovereignty and territorial integrity of Afghanistan;

16. *Appeals* to Member States and to the international community to provide, on a non-discriminatory basis, adequate humanitarian assistance to the people of Afghanistan and to the Afghan refugees in neighbouring countries, pending, and with a view to encouraging, their voluntary repatriation, and requests all the parties in Afghanistan to lift the restrictions imposed on the international aid community and to allow the free transit of food and medical supplies to all populations of the country;

17. *Expresses its deep concern* about reports of the deterioration of the cultural heritage of Afghanistan, notes that all the parties share the historical responsibility to protect and safeguard this common heritage, and requests Member States to take appropriate measures to prevent the looting of cultural artifacts and to ensure their return to Afghanistan;

18. *Urges* all the Afghan parties to extend their cooperation to the Commission on Human Rights and to its Special Rapporteur;

19. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur;

20. *Decides* to keep the situation of human rights in Afghanistan under consideration at its fifty-third session, in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/644/Add.3)*]

52/146. Situation of human rights in Rwanda

The General Assembly,

Guided by the Charter of the United Nations, the International Bill of Human Rights,[1] the Convention on the Prevention and Punishment of the Crime of Genocide[2] and other applicable human rights and humanitarian law standards,

Recalling its resolution 51/114 of 12 December 1996 and relevant previous resolutions, and taking note of Commission on Human Rights resolution 1997/66 of 16 April 1997,[3]

Reaffirming that effective action to prevent further violations of human rights and fundamental freedoms must be a central and integral element of the overall Rwandan and United Nations responses to the situation in Rwanda and that a strengthened human rights component is indispensable to national reconciliation and reconstruction in Rwanda,

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[1] See resolutions 217 A (III), 2200 A (XXI), annex and 44/128, annex.

[2] Resolution 260 A (III).

[3] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

1. *Takes note* of the reports of the United Nations High Commissioner for Human Rights on the Human Rights Field Operation in Rwanda[4] and the report of the Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda;[5]

2. *Reiterates its strong condemnation* of the crime of genocide and the crimes against humanity which were perpetrated in Rwanda in 1994, and expresses its concern at the continuation of human rights violations and violations of international humanitarian law in Rwanda;

3. *Urges* all States to cooperate fully, without delay, with the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, taking into account the obligations set forth in Security Council resolutions 955 (1994) of 8 November 1994 and 978 (1995) of 27 February 1995, and encourages the Secretary-General to facilitate the activities of the International Criminal Tribunal to the greatest extent possible;

4. *Notes with interest* the recommendations made in the report of the Special Representative, in particular the recommendation that there is a need for greater coordination in the provision of human rights technical assistance;

5. *Notes* the commitment of the Government of Rwanda to investigate reports of extrajudicial executions committed by some members of the security forces, and calls upon the competent national authorities to conduct those investigations promptly and with all due rigour;

6. *Welcomes* the start of the trials of those suspected of genocide and crimes against humanity in Rwanda and the improvements that have been made in the trial process, and stresses the need for continued efforts by the Government of Rwanda to further strengthen fair trial guarantees and to ensure access to legal representation, which are of particular importance given that those found guilty may face the death penalty;

7. *Affirms* the urgent need to complete a dossier for every detainee, with a view to identifying those who should be released immediately, early or conditionally, and the need for continued efforts by the Government of Rwanda, with the assistance of the international community, to bring about further improvements in conditions of detention;

8. *Appeals* to the international community to contribute further assistance to the Government of Rwanda in its efforts to strengthen Rwanda's judicial system, reconstruct human rights infrastructure and build national capacity in the field of human rights;

9. *Welcomes* the work of the Human Rights Field Operation in Rwanda, whose objectives were described in General Assembly resolution 50/200 of 22 December 1995, and the agreement signed between the Government of Rwanda and the Field Operation;

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[4] A/52/486, annex and A/52/486/Add.1/Rev.1, annex.

[5] A/52/522, annex.

10. *Condemns in the strongest terms* any acts of violence or intimidation against the staff of the United Nations or any other international staff serving in Rwanda, and pays tribute to the memory of those killed;

11. *Encourages* continued cooperation among the United Nations High Commissioner for Human Rights, the Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda, the Human Rights Field Operation in Rwanda and the Government of Rwanda;

12. *Calls upon* all States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda and to work for lasting solutions to its financing problems, including through the regular budget of the United Nations;

13. *Requests* the United Nations High Commissioner for Human Rights to report on the activities and findings of the Human Rights Field Operation in Rwanda to the Commission on Human Rights at its fifty-fourth session and to the General Assembly at its fifty-third session.

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